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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/713,884

11/14/2003

Burton F. Grant

1125

33525

7590

03/28/2005

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EXAMINER

HUANG, SIHONG

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,884

Applicant(s)

GRANT, BURTON F.

Examiner

Sihong Huang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

On page 5, line 3, after "contained", "the in" should read --in the--.

Appropriate correction is required.

2. Claim 4 is objected to because of the following informalities:

It is believed that claim 4 should depend on claim 3 instead of claim 1. Otherwise, claim 4 is a duplicate of claim 2.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US Pub. No. 2003/0137418 A1) in view of Maloney (US Pub. No. 2004/0095241 A1).

Lee et al disclosed an article minder system for minding at least one article, said system comprising:

a radio tag 3 (see pp [0016]) provided on each of the at least one article, said radio tag transmitting a first radio frequency signal (line 14 of pp [0016]) at periodic intervals (line 3 of pp [0022]) including an identifier uniquely identifying the at least one article (lines 2-3 and 13 of pp [0016] and pp [0009]);

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a housing (2, or housing of reader, also see Fig. 1);

a receiver (the receiver part of transceiver 4, see Fig. 2) provided in said housing for receiving said first radio frequency signal;

a signaling device (7, see Fig. 2) responsive to a signal from said receiver, said receiver issuing a signal to said signaling device (7) if said receiver fails to receive said first radio frequency signal within said periodic intervals (as disclosed in line 3 of pp [0022], the reader can check each article at a predetermined interval, and as disclosed in lines 7-12 of pp [0021], when article fails to respond (that is, if there is no response from the article, there will be no first radio signal received by the receiver part of the transceiver 4), an audible and/or flashing alarm is initiated); and

a power source (inherent of Lee et al, also see line 18 of pp [0016]) operatively connected to said receiver and signaling device (7).

Lee et al differ from **claims 1 and 3** of the present invention in that the tracking article is not a credit card, namely, the radio tag (RFID) is not provided on a credit card. However, Maloney, from the same field of endeavor, similarly teaches an object or article tracking system in which radio frequency (RFID) tag is embedded on a thin plastic card (line 10 of pp [0005] and lines 4-12 of pp [0006], also see Figs. 1, 2 and 11-13). As Lee et al disclosed that their system can be used to track any articles (pp [0002] and pp [0023]), and Maloney disclosed that article can be any item that is desired to be tracked and monitored, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use the system of Lee et al to track any desirable item including credit card by applying the teaching of Maloney to attach its

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radio tag (RFID) to a plastic credit card in order to alert a credit card user when the credit card is not at possession with the credit card user within a period of time.

As to **claim 3**, the combination of Lee et al and Maloney further differs from claim 3 in that it does not disclose a credit card holder for storing at least one credit card. Examiner takes Official notice that it is notoriously known that credit cards are normally stored in a card holder (e.g., wallet). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to store the card of Lee et al and Maloney in a card holder in order to prevent the card from being damaged.

Regarding **claims 2 and 4**, the system of Lee et al. further includes a transmitter (the transmitter part of the transceiver 4) in the housing (2) for transmitting a second radio frequency signal (e.g., the polling signal, lines 4-8 of pp [0021]) at periodic intervals (lines 2-3 of pp [0022]), said radio tag including a receiver (the receiver part of the transceiver 8, see Fig. 2) for receiving said second radio frequency signal, and a transmitter (the transmitter part of transceiver 8) for transmitting said first radio frequency signal each time said radio tag receiver receives said second radio frequency signal (lines 1-12 of pp [0021] and lines 3 and 13 of pp [0016]).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Olah (US Pat. No. 5,396,218), Nakajima (US Pat. No. 5,781,109), Dusza (US Pat. No. 6,057,762), Mori et al. (US Pat. No. 6,304,182 B1) are Maloney (US Pat. No. 6,812,838 B1) are cited to show other object monitoring systems utilizing RF communications between the object with a radio tag and a receiver/reader.

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Middlemiss et al. (US Pat. No. 6,184,788 B1) and Chern (US Pat. No. 5,790,027) are cited to show card holder having an alarm system for detecting missing card.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sihong Huang whose telephone number is 571-272-2958. The examiner can normally be reached on Mon, Thu & Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sihong Huang
March 17, 2005

A handwritten signature in black ink, appearing to be 'Sihong Huang', written over a horizontal line.